

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Estt- I & CAD Dept- Disciplinary action against Sri K.S.S.V.Subba Rao, DEE, DWMA, Kakinada- Articles of charges issue- Enquiry conducted- charges proved- Departmental action finalized-Imposition of a punishment of stoppage of two annual grade increments with cumulative effect – orders- Issued.

I & CAD (SER.VII (V&E-2) DEPARTMENT

G.O.Rt.No. 911

Dt. 08 - 09-2011

Read the following :

1. From the General Administration (V&E) Dept, Vigilance Report No. 44, dated 19-03-2005.
2. ENC(AW) Memo No. Rc/ ENC/S1(2)/9266/2006-3, dated 28-09-2006.
3. Written Statement of defense of Sri KSSV Subba Rao, DEE, DWMA, Kakinada dated 27-10-2006.
4. From the ENC(AW) Lr.No. Rc/ENC/S1(2)/9266/2006-1, dt. 19-06-2007.
5. Govt Memo No. 23125/ Ser.VII(V&E-20/2007-2, DT. 16-10-2007
6. ENC(AW) Memo No. Rc/ ENC/S1(2)/9266/2006-4, dated 03-11-2007..
7. From Sri D.Ravindra Babu, SE, IC, Tuni and Enquiry Officer, Lr.No. SE/ISPPLMCC/Tuni/Confidential/21 C, dated 24-04-2008.
8. Received from Sri KSSV Subba Rao, DEE, DWMA, Kakinada, explanation dated 22-10-2008.
9. Govt Letter No. 23125/ Ser.VII(V&E-2)/2007-6, dt. 08-12-2010
10. From the Secretary, APPSC, Lr.No. 32/RT-1/3/2011, dt. 21-01-2011.
11. G.O.Rt.No. 139, I & CAD (Ser.VII(V&E-2) Dept, dated 18-02-2011.
12. Orders of the Hon`ble APAT dated 04-07-2011 in O.A.No. 5597/2011 filed by Sri KSSV Subba Rao, DEE.

In the reference 1st read above, it has been brought to the notice of the Government that certain irregularities took place in check measuring and recording in the R.Yerrapalem water shed works executed by the DWMA, Kakinada.

2. In the reference 2nd read above, the ENC(AW) has initiated disciplinary action against Sri KSSV Subba Rao, DEE, DWMA, Kakinada by issuing articles of charges for the above said irregularities.

3. In the reference 3rd read above, Sri KSSV Subba Rao, DEE, DWMA, Kakinada has submitted his written statement of defense, duly denying the charges framed against him.

4. In the reference 4th read above, the ENC(AW) while enclosing copies of the articles of charges issued to Sri KSSV Subba Rao, DEE, DWMA and his written statement of defense, has requested to examine the entire issue at Government level and issue necessary orders in the matter.

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5. In the reference 5th read above, the ENC(AW) has been directed to appoint an enquiry officer to conduct enquiry into the charges framed against Sri KSSV Subba Rao, DEE, as his written statement of defense found not convincing.

6. In the reference 6th read above, the ENC(AW) has appointed Sri D.Ravindra Babu, SE, IC, TUNI as Enquiry officer to conduct enquiry into the charges framed against Sri KSSV Subba Rao, DEE, DWMA, Kakinada

7. In the reference 7th read above, the Enquiry officer has submitted enquiry report stating that the charges are held proved against Sri KSSV Subba Rao, DEE, DWMA, Kakinada.
8. In the reference 8th read above, Sri KSSV Subba Rao, DEE, DWMA has submitted his explanation on the findings of the Enquiry Officer.
9. Government after careful examination of the entire issue have provisionally decided to impose a punishment of stoppage of two annual grade increments with cumulative effect on Sri KSSV Subba Rao, DEE, DWMA, Kakinada.
10. In the reference 9th read above, the Secretary, APPSC has been requested to place the proposal of the Government before the Commission and communicate its concurrence.
11. In the reference 10th read above, the Secretary , APPSC has informed that the APPSC has agreed with the proposal of the department to impose a punishment of stoppage of two annual grade increments with cumulative effect on Sri KSSV Subba Rao, DEE, DWMA.
12. Government after careful examination of the entire issue in the reference 11th read above, issued orders imposing a punishment of stoppage of two annual grade increments with cumulative effect on Sri KSSV Subba Rao, DEE, DWMA for his committed irregularities in check measuring and recording in the R.Yerrapalem water shed works executed by the DWMA, Kakinada.
13. Aggrieved by the orders issued in the reference 11th read above, Sri KSSV Subba Rao, DEE has filed O.A.No. 5597/2011 before the Hon`ble APAT and the Hon`ble APAT in its orders dated 04-07-2011 while allowing the O.A. has remitted back the case to the respondents for passing fresh orders after considering the explanation of the applicant submitted on 22-10-2010 in detail within a period of six weeks.
14. Government after careful examination of the entire issue have decided to comply with the orders of the Hon`ble APAT in O.A.No. 5597/2011 filed by Sri KSSV Subba Rao, DEE. Accordingly, hereby cancel the earlier orders issued in the reference 11th read above.

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15. Further, Government, after careful examination of the explanation submitted by the applicant have decided to reject the averment of the applicant that he is not aware of the instructions issued by the Commissioner, Rural Development for the following reasons :

"His contention that he need not under take any check measurement of the works is against the facts. There are clear instructions from the Commissioner Rural Development vide Circular no. 7490/ DPAP(2)/98 dt. 11-06-2003, stipulated that 100% check measurement of works should be done by MDT along with village level functionaries before making any payment. The MDT should also be held responsible for any irregularity committed in execution of works. His being not aware of the instructions is not tenable. Any how he is on record as having check measured large number of works as revealed by the I.A. after inspection. As such by check measuring excess measurements, he has facilitated making of excess payment.. Hence, the report of the I.A. Can be accepted."

16. In compliance of the orders of the Hon`ble APAT in O.A.No. 5597/2011 filed by Sri KSSV Subba Rao, DEE, and after considering the explanation of the

individual, Government have decided to reject the averment of the individual for the reasons stated at para (15) above and to impose a punishment of stoppage of two annual grade increments with cumulative effect on Sri KSSV Subba Rao, DEE, DWMA.

17. Accordingly, Government hereby impose a punishment of stoppage of two annual grade increments with cumulative effect on Sri KSSV Subba Rao, DEE, for his committed irregularities in check measuring and recording in the R.Yerrapalem water shed works executed by the DWMA, Kakinada.

18. The Engineer-in-Chief (AW), I & CAD Department shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri KSSV Subba Rao, DEE, DWMA, Kakinada through the Engineer-in-Chief (AW), I& CAD Department, Hyderabad.
The Engineer-in-Chief (AW), I & CAD Department, Hyderabad
The Commissioner, Rural Development, Hyderabad
The Secretary, APPSC, Hyderabad.

//FORWARDED :: BY ORDER//

SECTION OFFICER